



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

201-15613

JUL 02 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Frederick R. Johannsen, Ph.D.
Solutia HPV Coordinator
Solutia Inc.
575 Maryville Centre Drive
St. Louis, MO 63141

Dear Dr. Johannsen:

Thank you for your letter dated February 14, 2003, to the U.S. Environmental Protection Agency (EPA), regarding the High Production Volume (HPV) Challenge Program. I apologize for the lengthy delay in responding to your request.

Your letter requests that Polyphenyls, biphenyl and terphenyl free- (CAS No. 68514-80-7) be removed from the HPV Chemical list. Your letter states that Polyphenyls, biphenyl and terphenyl free- (CAS No. 68514-80-7) represents a distillation residue stream from the manufacture of polyphenyl products; and that this residue is burned as a fuel at your manufacturing site. The letter states that how you manufacture and dispose of this stream is consistent with the definition of a byproduct that is excluded from the TSCA Inventory according to 40 CFR 710.4(d)(2) and that you have reported manufacture of this stream in your Inventory Update Reports as allowed by that section.

EPA recommends that you submit an exemption request to EPA if you believe Polyphenyls, biphenyl and terphenyl free- (CAS No. 68514-80-7), is a byproduct as this term is defined under 40 CFR 710.4(d)(2). The required information should include a description of the manufacturing process and the final disposition of the substance.

As you may know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its ChemRTK website at www.epa.gov/chemrtk in March, 1999. Based on EPA's review of all the pertinent IUR data from 1998 and 2002, EPA has determined that Polyphenyls, biphenyl and terphenyl free- (CAS No. 68514-80-7) **does not meet** the "no longer HPV" criteria.

We will post your letter, accompanied by our reply, on the Chemical Right-to-Know (ChemRTK) website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770. If you have general questions

concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via e-mail at tsca-hotline@epa.gov.

Sincerely,

Wardner G. Penberthy
Acting Director
Chemical Control Division

cc: AR201